

By: Martinez Fischer

H.B. No. 116

A BILL TO BE ENTITLED

1 AN ACT
2 relating to expanding eligibility for benefits under the Medicaid
3 program

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 32, Human Resources Code, is amended by
6 adding Subchapter H to read as follows:

7 SUBCHAPTER H. EXPANSION OF ELIGIBILITY FOR MEDICAL ASSISTANCE

8 Sec. 32.351. DEFINITIONS. In this subchapter:

9 (1) "Commission" means the Health and Human Services
10 Commission.

11 (2) "Executive commissioner" means the executive
12 commissioner of the Health and Human Services Commission.

13 Sec. 32.352. EXPANDED ELIGIBILITY FOR MEDICAL ASSISTANCE

14 UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT. (a)

15 Notwithstanding any other law, the commission shall provide medical
16 assistance to all persons who apply for that assistance and for whom
17 federal matching funds are available under the Patient Protection
18 and Affordable Care Act (Pub. L. No. 111-148) as amended by the
19 Health Care and Education Reconciliation Act of 2010 (Pub. L.
20 No. 111-152) to provide that assistance.

21 (b) The executive commissioner shall adopt rules regarding
22 the provision of medical assistance as required by this section.

23 SECTION 2. Section 32.352, Human Resources Code, as added
24 by this article, applies only to an initial determination or

1 recertification of eligibility of a person for medical assistance
2 under Chapter 32, Human Resources Code, made on or after January 1,
3 2016, regardless of the date the person applied for that
4 assistance.

5 SECTION 3. As soon as possible after the effective date of
6 this Act, the executive commissioner of the Health and Human
7 Services Commission shall take all necessary actions to expand
8 eligibility for medical assistance under Chapter 32, Human
9 Resources Code, beginning January 1, 2016, and in accordance with
10 Section 32.352, Human Resources Code, as added by this article,
11 including notifying appropriate federal agencies of that expanded
12 eligibility.

13 SECTION 4. If before implementing any provision of this Act
14 a state agency determines that a waiver or authorization from a
15 federal agency is necessary for implementation of that provision,
16 the agency affected by the provision shall request the waiver or
17 authorization and may delay implementing that provision until the
18 waiver or authorization is granted.

19 SECTION 5. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2015.